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RCE/2800

PTO/SB/30 (09-03)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/941,879
Filing Date	August 29, 2001
First Named Inventor	Taisei HIRAYAMA
Art Unit	2829
Examiner Name	Paresh H. Patel
Attorney Docket Number	01473/LH

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1378
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 770.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Robert P. Michal	Registration No. (Attorney/Agent)	35,614
Signature		Date	January 16, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

Express Mailing Label No.: EV 395876875 US  
Date of Deposit: January 16, 2004

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, with sufficient postage, under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn Stults

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Appln. No. 09/941,879  
Amendment dated January 16, 2004  
Reply to Office Action of September 3, 2003

Attorney Docket No. 01473/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant : Taisei HIRAYAMA, et al.  
Serial No. : 09/941,879  
Filed : August 29, 2001  
For : SAMPLE ASSEMBLY FOR  
THERMOELECTRIC ANALYZER  
Art Unit : 2829  
Examiner : Paresh H. Patel  
Confirm. No.: 7842  
Customer No.: 01933

**RESPONSE FILED CONCURRENT WITH  
REQUEST FOR CONTINUED EXAMINATION (RCE)  
EXPEDITED PROCEDURE - GROUP 2800**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

S I R :

This is responsive to the Final Office Action mailed September 3, 2003, the term for response to which is extended by two months by Petition filed concurrently herewith to February 3, 2004.

**Amendments to the Abstract** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

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*Marilyn Stults*  
Marilyn Stults

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

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**Amendments to the Drawings** begin on page 9 of this paper and include both attached replacement sheets and annotated sheets showing changes.

**Remarks/Arguments** begin on page 10 of this paper.